

Applicant: Archer, John
Application Serial No.: 10/083,724
Filing Date: February 25, 2002
Docket No.: 577-526
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REMARKS/ARGUMENTS

The application has been amended. The specification and drawings have been amended. Reconsideration of the application is respectfully requested.

The Examiner has rejected to the drawings under 37 C.F.R. §1.83(a). In response to this rejection, Figure 1 of the drawings has been amended to show element number 21 representing the perimetrical side wall. Furthermore the specification has been amended to describe the perimetrical side wall 21. Once the Examiner has reviewed and approved the proposed drawing correction, formal drawings will be submitted. Reconsideration is respectfully requested.

The Examiner has indicated that claims 8 and 9 are allowable and that claims 11-18 are allowed. This indication is gratefully acknowledged.

Independent claims 1 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,612,412 to Johnston. This determination is respectfully traversed.

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In describing the Johnston reference as it relates to the present claims, the Examiner appears to acknowledge that Johnston fails to disclose that the first mounting axis is closer to the first side wall than the second mounting axis. However, the Examiner indicates that:

it would have been an obvious matter of design choice to use said first mounting axis being closer to said first side wall than said second side wall, since applicant has not disclosed said first mounting axis being closer to said first side wall than said second side wall solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with if designed with said first side wall and said second side wall of Johnston.

Contrary to the Examiner's assertion, Applicant has, in fact, described with great particularity, the features and benefits of claims 1 and 19. The Examiner's attention is called to the background of the specification of the present invention, particularly at paragraph [0006]. In that paragraph, it is specifically recited that relevant electrical codes dictate the minimum distance that the receptacle needs to be spaced from the side walls of the outlet box. Applicant also acknowledges the desire to increase the total interior capacity of the box so as to accommodate a larger number of wires. The dictates of the electrical code and need for increased capacity must be addressed simultaneously with the need to maintain proper spacing between electrical terminations and communication terminations so as to employ standard components such as outlet covers.

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Turning now to the detailed description of the preferred embodiment, specifically in paragraph [0026], Applicant sets forth how the present invention allows for increased capacity while maintaining the spacings required by the electrical code and yet allows the box of the present invention to be employed with standard components such as standard electrical cover plates. This is done in part by manufacturing the box of the present invention to have the first and second mounting axes being substantially equally distant from a center line of the first side wall with the first mounting axis being closer to the first side wall than the second side wall. As noted by the Examiner, Johnston fails to disclose this feature in any respect. Moreover, Johnston fails to address the features and benefits achieved by the arrangement set forth in claims 1 and 19. There is no teaching or suggestion in Johnston to provide anything other than a conventional box manufactured to conventional specifications.

Having pointed out with particularity the problem presented in the art and the solution devised by the present invention, and as that problem and solution is not set forth in Johnston, it is respectfully submitted that claim 1, as well as the claims that depend therefrom, and claim 19 define patentably over Johnston.

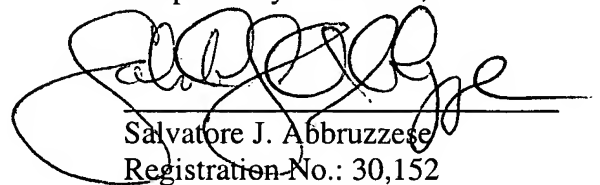
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The remaining reference of record, namely U.S. Patent No. 5,568,326 to Hansen has been reviewed. The presently claimed invention as set forth in independent claims 1 and 19 is believed to be patentably distinct over Hansen alone or in combination with Johnston.

Having responded in full to the present Office Action, it is respectfully submitted that the application including claims 1-19 is in condition for allowance. Favorable action thereon is respectfully solicited.

Should the Examiner have any questions with respect to this application, please contact the undersigned counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Salvatore J. Abbruzzese', is written over a horizontal line.

Salvatore J. Abbruzzese
Registration No.: 30,152
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

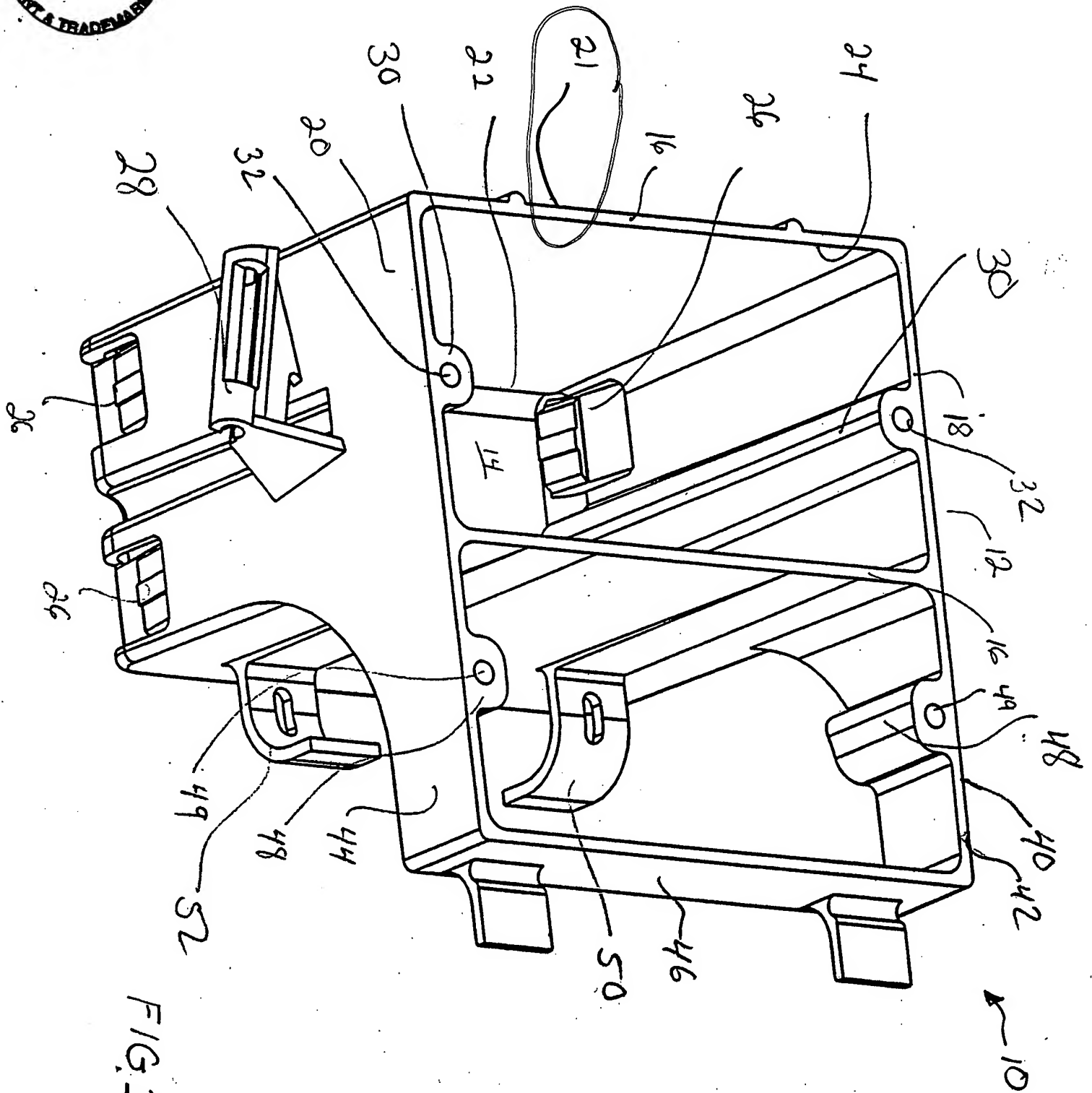


FIG. 1